

Minutes of the Water Pollution Control Board
Indiana Government Center South
Conference Center Room A
Indianapolis, Indiana
Wednesday, May 10, 2006

1. CALL TO ORDER

The meeting was called to order at 1:30 p.m. by Chairperson Gary Powdrill. A quorum was present.

Members present: Gary Powdrill (Chairperson); Robert Warnock, Jr.; Jim Flannery; Dave Wagner; Mark Legan; Ken Hedge; Lee Botts; Ted Alexander; Howard Cundiff (proxy for Dr. Judith A. Monroe, IDOH); Chad Frahm (proxy for Lt. Gov. Becky Skillman); Jim Ray (proxy for Kyle Hupfer, IDNR); Pamela Fisher (proxy for Patricia R. Miller, Sec. of Commerce); and Deborah Albright (board counsel).

Present for IDEM: Bruno Pigott, Assistant Commissioner, Office of Water Quality (OWQ); Martha Clark Mettler, Deputy Assistant Commissioner, OWQ; Bruce Palin, Assistant Commissioner, Office of Land Quality; Stacy Jones, Regulatory Development Specialist, Drinking Water Branch, OWQ; and Larry Wu, Section Chief, Rules Development Section, OWQ.

2. ANNOUNCEMENTS

Chairman Powdrill introduced the board members and announced their affiliations. He also announced that there would be a change in the order of the meeting.

3. APPROVAL OF MINUTES

A motion was made and seconded to approve the February 8, 2006, WPCB minutes. Mr. Wagner brought attention to a spelling error in the minutes. The WPCB minutes were unanimously approved as amended.

4. RULE ACTIONS

A. #05-322 Amendments to Date Extension in the CAFO rule

Chairperson Powdrill opened the public hearing for final adoption of amendments to the Date Extension in the CAFO rules, #05-322 (WPCB).

Bruce Palin spoke for the agency. He discussed the revisions of the proposed rule concerning the postponement of the three year date deadlines for concentrated animal feeding operations relevant to submission of NPDES permit applications.

There was board discussion of the repercussions of amending compliance deadlines within the rule.

There were two persons who testified in favor of the rule, David Hardin, a board member of the Indiana Pork Advocacy Coalition, and Justin Schneider from the Indiana Farm Bureau.

The hearing was closed. The board voted unanimously to final adopt the rules.

B. #05-255 (WPCB) Sanitary Surveys, Operator Requirements and minor changes

Chairperson Powdrill opened the public hearing for final adoption of amendments to Sanitary Surveys, Operator Requirements and minor changes rules.

Stacy Jones spoke on behalf of the agency and explained the major changes and some minor changes to the proposal rule. The major changes require surface water systems to correct significant deficiencies found during sanitary surveys; clarify reporting requirements for monthly reports of operation; and revise operator certification requirements.

There were no public commenters.

The hearing was closed. The board voted unanimously to final adopt the rules.

C. #06-44 (WPCB) Preliminary Adoption of Amendments to Drinking Water Corrections

Chairperson Powdrill opened the public hearing for the preliminary adoption of amendments to Drinking Water Corrections rules.

Stacy Jones spoke for the agency. She read a statement clarifying what the rule language corrections were and identifying those changes that EPA had requested.

Having no public commenters, the public hearing concluded.

The board unanimously voted to preliminarily adopt the rules.

5. REPORTS

Sierra Club Legal Action – Ms. Deborah Albright reported that the Sierra Club’s appeal challenging the final adoption of Storm Water Rule 13 was withdrawn.

Wastewater Operator Certification - Bruno Pigott commented that the workgroup was working through multiple issues dealing with the wastewater treatment plant classification system and operator training and requirements. The workgroup is scheduled to meet once per month through August 2006.

Sewer Ban Rulemaking - Mr. Pigott said the intent of the rulemaking is to tighten rule language explaining the application of a sewer ban.

Pretreatment Streamlining Rulemaking - Mr. Pigott recapped the 14 EPA requirements for the rulemaking. He added that EPA has indicated that there are five additional items that would be optional to include in the new rule.

Antidegradation Rulemaking - Martha Clark Mettler indicated that the internal workgroup was still working on revising the 2nd notice rule language for practical approaches to implement the rule.

Wetlands Issues - Ms. Mettler explained that three nonrule policy documents would come before the board in August after a 45-day comment period. She elaborated about how the wetland science workgroup was working to help provide recommendations to the policy workgroup.

Minor Reports - Ms. Mettler also brought attention to the Rules Effectiveness Report that IDEM had promised the board members.

Larry Wu explained the reformatting changes made to the Rules monthly report. Mr. Ray wanted to know if the water monthly report was available online.

6. ADJOURNMENT

Chairperson Powdrill adjourned the WPCB meeting at 2:59 p.m.

The next WPCB meeting is scheduled for Wednesday, August 9, 2006, at TBA off-site location at 1:30 p.m. E.D.T.

CHAIRPERSON

These minutes were derived from Office of Water Quality Rules Section staff notes; however, this meeting was recorded by a court reporter. A typewritten transcript of the entire meeting is on file in the Office of Water Quality, Indiana Department of Environmental Management.